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January 5, 2000

Jane Henney, MD
FDA Commissioner
FDA Dockets Management Grant (HFA-305)
Food and Drug Administration
5630 Fisher's Lane, Room 1061
Rockville, MD 20852

Re: Docket No. 94P-0036, Food Labeling: Trans Fatty Acids in Nutrition Labeling,
Nutrient Content Claims, and Health Claims; Proposed Rule

Dear Dr. Henney,

We are writing with regard to the proposed new rules for trans fatty acids in nutrition labeling and nutrient content claims. In the accompanying letter, we set forth the reasons for our strong support for the proposed FDA labeling requirements for trans fatty acids. In this letter, however, we focus on the regulation for the proposed new "trans fat free" claim. As proposed, this claim would be permitted in the labeling of foods that contain less than 0.5g of trans fat and less than 0.5g saturated fat per serving. We understand the reasoning behind this proposal, which is to avoid food manufacturers giving the appearance of a healthy food (trans fat free) for products which are high in saturated fat. However, we believe that the current proposed labeling restrictions are too severe. For example, a food such as olive, corn or soy bean oil would not be permitted to make the trans fat free claim because of its content of saturated fat. Similarly, some forms of margarine, which are otherwise good sources of polyunsaturated fats, would not meet this requirement because a modest of saturated fat is required to keep the semi-solid form. Thus, food products which might naturally replace trans-rich items would be restricted from using the "trans fat free" claim according to this proposed requirement. This would reduce the incentive to produce and market healthier margarines and shortenings. We therefore propose that the trans fat free claim be permitted for foods which have less than 0.5g of trans fat per serving and for which the saturated fat content makes up less than 20% of the total calories from fats. Such a proposal would include such foods as olive oil, corn oil and soy bean oil, while still serving the purpose of restricting very high saturated fat food items from the ability to use this claim.


Yours Sincerely,



Walter Willett, MD

94P-0036

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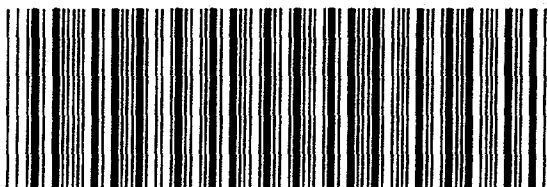
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